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E-FILED - 10/21/10

Counsel for Defendant LUIS PERDOMO SOTO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 10-00373-RMW
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING; ORDER
v.)	
)	
LUIS PERDOMO SOTO,)	
)	
Defendant.)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the hearing date in the above-captioned matter, presently scheduled for Monday, October 25, 2010 at 9:00 a.m., may be continued to Monday, November 15, 2010, at 9:00 a.m.

The reasons for the continuance are that this case has been referred for a settlement conference, and the parties have not yet been able to schedule that conference. Also, defense counsel will be unavailable for a short period of time due to medical issues.

The parties further agree and stipulate that time should be excluded from and including October 25, 2010 through and including November 15, 2010, for effective defense preparation and continuity of defense counsel, pursuant to the Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A)

STIPULATION TO CONTINUE HEARING;
[] ORDER
No. CR 10-00373-RMW

1 and (B)(iv). Accordingly, the United States and the defendant agree that granting the requested
2 exclusion of time will serve the interest of justice and outweigh the interest of the public and
3 defendant in a speedy trial.

4
5 Dated: 10/14/10

/s/

NICHOLAS P. HUMY
Assistant Federal Public Defender

6
7 Dated: 10/14/10

/s/

EUMI L. CHOI
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 10-00373-RMW
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Plaintiff,)	STIPULATION TO CONTINUE
)	HEARING; <input type="checkbox"/> ORDER
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)	
LUIS PERDOMO SOTO,)	
)	
Defendant.)	

¶ ORDER

The parties have jointly requested a continuance of the status hearing set for Monday, October 25, 2010.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date presently set for Monday, October 25, 2010, is continued to November 15, 2010 at 9:00 a.m.

IT IS FURTHER ORDERED that 22 days shall be excluded from the period of time in which trial shall commence under the Speedy Trial Act as the reasonable time necessary for continuity of counsel and effective defense preparation, pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(7)(B)(iv).

Dated: 10/21/10


RONALD M. WHYTE
United States District Judge

STIPULATION TO CONTINUE HEARING;
☐ ORDER
No. CR 10-00373-RMW